

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Telephone Number Portability)	CC Docket No. 95-116
)	
Numbering Resource Optimization)	CC Docket No. 99-200

ORDER

Adopted: August 30, 2019**Released: August 30, 2019**

By the Chief, Wireline Competition Bureau:

1. On August 27, 2019, the Federal Emergency Management Agency (FEMA), Department of Homeland Security, announced that the President had signed a declaration for the Commonwealth of Puerto Rico due to then Tropical Storm Dorian, which has since been classified as a hurricane.¹ Likewise, on August 28, 2019, FEMA announced that the President had signed a declaration for the U.S. Virgin Islands due to Hurricane Dorian.² Hurricane Dorian has brought strong winds, rough surf, heavy rainfall, and flooding over Puerto Rico and the U.S. Virgin Islands and is forecast to intensify into a major hurricane with impacts possible over the Southeast U.S. coast.³ It is expected to cause significant damage in the areas within its path, and may result in significant property damage and personal injury. Hurricane Dorian may also cause substantial telephone service outages in all affected areas. To assist telephone subscribers in those areas, we grant, on our own motion, a temporary waiver of the Commission's telephone number "aging" rule. Specifically, we waive section 52.15(f)(ii), which states that service providers may only age telephone numbers that have been disconnected for up to 90 days before assigning them to other customers.⁴

¹ See FEMA, President Donald J. Trump Signs Emergency Declaration for Puerto Rico (August 27, 2019), <https://www.fema.gov/news-release/2019/08/27/president-donald-j-trump-signs-emergency-declaration-puerto-rico> (last visited Aug. 29, 2019) ("Specifically, FEMA is authorized to identify, mobilize, and provide at its discretion, equipment and resources necessary to alleviate the impacts of the emergency. Emergency protective measures (Category B), limited to direct federal assistance under the Public Assistance Program, will be provided at 75 percent federal funding. The assistance is for all 78 municipalities in the Commonwealth of Puerto Rico.").

² See FEMA, President Donald J. Trump Signs Emergency Declaration for the U.S. Virgin Islands (August 28, 2019), <https://www.fema.gov/news-release/2019/08/28/president-donald-j-trump-signs-emergency-declaration-us-virgin-islands> (last visited Aug. 29, 2019) ("Specifically, FEMA is authorized to identify, mobilize and provide at its discretion, equipment and resources necessary to alleviate the impacts of the emergency. Emergency protective measures (Category B), limited to direct federal assistance under the Public Assistance Program, will be provided at 75 percent federal funding. This assistance is for all islands in the territory of the U.S. Virgin Islands.").

³ NOAA, National Hurricane Center, Hurricane Dorian Public Advisory, <https://www.nhc.noaa.gov/text/refresh/MIATCPAT5+shtml/281744.shtml> (last visited Aug. 29, 2019).

⁴ 47 C.F.R. § 52.15(f)(ii) ("Aging numbers are disconnected numbers that are not available for assignment to another end user or customer for a specified period of time. Numbers previously assigned to residential customers may be aged for no more than 90 days.").

2. There is good cause for this waiver, as required by section 1.3 of our rules.⁵ Assisting residential subscribers who are dealing with the effects of a hurricane or major storm is in the public interest and thus warrants a temporary waiver of section 52.15(f)(ii) of the Commission's rules. Waiver of section 52.15(f)(ii) will allow service providers in the affected areas, upon customers' request, to disconnect temporarily customers' telephone service to avoid billing issues, and then reinstate the customers' same numbers when service is reconnected. This waiver applies to all companies that provide service in areas of Puerto Rico and the U.S. Virgin Islands affected by Hurricane Dorian. This waiver is in effect immediately and for a nine-month period, expiring on May 29, 2020. This waiver of the aging rule will also apply, without need for further action by the Wireline Competition Bureau, to residential customers in other areas for which the President declares states of emergency due to Hurricane Dorian. These waivers will expire 270 days from the date the President declares a state of emergency for the area(s) affected.

3. Also, because of substantial damage to telecommunications systems we expect to be caused by Hurricane Dorian to areas within its path, we recognize that customers in the affected areas may wish to port numbers to locations outside their rate centers. To facilitate their customers' continued access to telecommunications service following the hurricane, we encourage service providers to port telephone numbers geographically outside a rate center to the extent it is technically feasible. We also encourage all service providers in the areas affected by Hurricane Dorian to waive call forwarding, message center, and voicemail service charges for affected customers, to the extent lawfully permitted, until the customers' service is restored.

4. Accordingly, IT IS ORDERED, pursuant to sections 4(i), 251(b)(2), and 251(e) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), 251(b)(2) and 251(e), and sections 0.291 and 1.3 of the Commission's rules, 47 CFR §§ 0.291, 1.3, that section 52.15(f)(ii), 47 CFR § 52.15(f)(ii), is waived to the extent herein described herein.

FEDERAL COMMUNICATIONS COMMISSION

Kris A Monteith
Chief
Wireline Competition Bureau

⁵ 47 CFR § 1.3 (providing that "[a]ny provision of the rules may be waived by the Commission on its own motion or on petition if good cause therefore is shown").